



RECEIVED
DEC 18 2002
TECH CENTER 1600/2900

Attorney Docket No. 976-1178CT/US

In re Application of: J.C. Aguilar Rubido et al
Serial No.: 09/857,402
Confirmation No.: 3056
Filed: June 1, 2001
For: Preparations Containing Virus-Like Particles
As Immunopotentiators Administered
Through The Mucosa

I hereby certify this correspondence is being deposited
with the United States Postal Service as first class mail,
postpaid in an envelope, addressed to:
Commissioner for Patents, Washington, D.C. 20231

on December 9, 2002

Signature:

Julie L. Watts

COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--------|---|-------|---|------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| TOTAL | * 20 | MINUS | ** 23 | = 0 |
| INDEP. | * 1 | MINUS | *** 3 | = 0 |

| SMALL ENTITY | | OR | OTHER THAN A SMALL ENTITY | |
|--------------|--------------|----|------------------------------|--------------|
| RATE | ADDL. FEE | | RATE | ADDL. FEE |
| x 9= | \$0.00 | OR | x 18= | \$ |
| x 42= | \$ | | x 84= | \$ |
| x 140= | \$ | | x 280= | \$ |
| TOTAL | \$ 0.00 | | TOTAL | \$ 0.00 |

☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS

- * If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.
- ** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 20, write "20" in this space.
- *** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 3, write "3" in this space. The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior amendment or the number of claims originally filed.

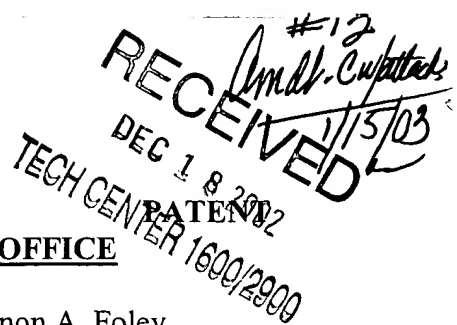
- ☐ Please charge my Deposit Account No. 08-2461 in the amount of \$_____. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$_____ is attached.
- ☒ The Commissioner is hereby authorized to charge any fees or additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2461. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 C.F.R. 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, NY 11791
(516) 822-3550

Respectfully submitted,

Algis Amilionis

Algis Amilionis
Registration No. 36,995



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) J.C. Aguilar Rubido, et al. Examiner: Shanon A. Foley
Serial No. 09/857,402 Group Art Unit: 1648
Confirmation No.: 3056 Docket: 976-11 PCT/US
Filed: June 1, 2001 Dated: December 9, 2002
For: PREPARATIONS
CONTAINING VIRUS-
LIKE PARTICLES AS
IMMUNOPOTENTIATORS
ADMINISTERED
THROUGH THE MUCOSA

BOX AF
Assistant Commissioner for Patents
Washington, DC 20231

*I hereby certify this correspondence is being deposited
with the United States Postal Service as first class mail,
postpaid in an envelope, addressed to: Assistant
Commissioner for Patents, Washington, D.C. 20231 on
December 9, 2002*
Dated: 12/09/02

Julie L. Watts

AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

This amendment is submitted in response to the Final Office Action of June 4, 2002 and subsequent to the filing of a Notice of Appeal on November 4, 2002.

In the specification

ex. note

Please delete Figure 5 and replace with the attached Figure 5 with wording in English.

Please delete the first paragraph of the amended "Summary of the Invention" at page 5 and replace with the following:

- - The present invention provides a vaccine formulation suitable for mucosal administration, the vaccine includes a mixture of a surface antigen from a virus, and a non-living

C1